

## U.S. DEPARTMENT OF COMMERCE PATENT &amp; TRADEMARK OFFICE

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| B/O Form PTO-1390<br><b>Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371</b>   |   | <i>Attorney's Docket Number</i><br>SCHW3005/JEK<br><i>U.S. Application Number (if known)</i><br><b>10/575080</b> |
| International Application Number<br><b>PCT/EP2004/011135</b>  | International Filing Date<br><b>October 5, 2004</b> | Priority Date Claimed<br><b>October 8, 2003</b>  |
| Title of Invention<br><b>VALUE DOCUMENT</b>   |   |  |
| Applicant(s) for DO/EO/US<br><b>Gerhard SCHWENK et al.</b>  |   |  |
| <b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:</b>   |   |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under <b>35 USC 371</b>.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under <b>35 USC 371</b>.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (<b>35 USC 371(f)</b>) at any time rather than delay examination until the expiration of the applicable time limit set in <b>35 USC 371(b)</b> and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed <b>35 USC 371(c)(2)</b>.             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> A translation of the International Application into English (<b>35 USC 371(c)(2)</b>).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (<b>35 USC 371(c)(3)</b>)             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (<b>35 USC 371(c)(3)</b>).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (<b>35 USC 371(c)(4)</b>). (<input type="checkbox"/> Executed      <input checked="" type="checkbox"/> Unexecuted)</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (<b>35 USC 371(c)(5)</b>).</li> </ol> <p><b>Items 11 to 16 below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under <b>37 CFR 1.97</b> and <b>1.98</b>.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with <b>37 CFR 3.28</b> and <b>3.31</b> is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under <b>37 CFR 1.76</b>.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under <b>35 U.S.C. 154(d)(4)</b>.</li> <li>19. <input type="checkbox"/> A second copy of the English translation of the international application under <b>35 U.S.C. 154(d)(4)</b></li> <li>20. <input type="checkbox"/> Other items or information:</li> </ol> |   |  |

|  |   |  |             |  |                       |
|--|---|--|-------------|--|-----------------------|
| <i>Application Number (if Known)</i><br><b>10/575080</b>   | <i>International Application Number</i><br><b>PCT/EP2004/011135</b> |  |             | <i>Attorney's Docket Number</i><br><b>SCHW3005/JEK</b> |                       |
|  |   |  |             | <b>Calculations</b>                                    | <b>PTO USE</b>        |
| 21. The following fees are submitted:<br><input checked="" type="checkbox"/> a) Basic national fee.....\$300.00<br><input checked="" type="checkbox"/> b) Examination fee .....\$200.00<br><br><input checked="" type="checkbox"/> c) Search Fee:<br><input type="checkbox"/> If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....\$0.00<br><input type="checkbox"/> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100.00<br><input checked="" type="checkbox"/> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....\$400.00<br><input type="checkbox"/> All other situations.....\$500.00<br><br><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof. |   |  |             | \$500.00   |                       |
| Total Sheets   | Extra sheets  | Number of each additional 50 or fractions thereof (round up to a whole number) | RATE        |  |                       |
| - 100 =  | /50=  |  | x \$250.00  |  |                       |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |   |  |             |  |                       |
| <b>CLAIMS</b>  | <b>NUMBER</b>   | <b>NUMBER EXTRA</b>  | <b>RATE</b> |  |                       |
| Total Claims   | 45  | -20 =  | 25          | x \$50.00  | \$ 1,250.00           |
| Independent Claims   | 1   | -3 =   |             | x \$200.00   |                       |
| Multiple Dependent Claims (if applicable)  |   |  |             | + \$360.00   |                       |
| <b>TOTAL OF ABOVE CALCULATIONS</b>   |   |  |             | <b>\$ 2,150.00</b>                                     |                       |
| <input type="checkbox"/> Reduction by ½ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.   |   |  |             |  |                       |
|  |   |  |             | <b>SUBTOTAL</b>  | <b>\$ 2,150.00</b>    |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |   |  |             |  |                       |
| <b>TOTAL NATIONAL FEE</b>  |   |  |             | <b>\$ 2,150.00</b>                                     |                       |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.  |   |  |             |  |                       |
| <b>TOTAL FEES ENCLOSED</b>   |   |  |             | <b>\$ 1,900.00</b>                                     |                       |
|  |   |  |             | Amount to be:  | Refunded:<br>Charged: |

- a.  A check in the amount of \$2,150.00 to cover the fees is enclosed.
- b.  Please charge my Deposit Account Number 02-0200 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is enclosed.

Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**23364**

Customer Number

Phone: (703) 683-0500

DATE: April 7, 2006

*Respectfully submitted,  
J. ERNEST KENNEY*

*Attorney for Applicant*

Registration Number: 19,179